

**ENTERED**

December 30, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

|                    |   |                        |
|--------------------|---|------------------------|
| TRENTON KIRKSEY    | § | CIVIL ACTION No        |
| Plaintiff,         | § | 4:24-cv-00871          |
|                    | § |                        |
|                    | § |                        |
| vs.                | § | JUDGE CHARLES ESKRIDGE |
|                    | § |                        |
|                    | § |                        |
| NATIONAL MULTIPLE  | § |                        |
| SCLEROSIS SOCIETY, | § |                        |
| Defendant.         | § |                        |

**ORDER ADOPTING  
MEMORANDUM AND RECOMMENDATION**

Plaintiff Trenton Kirksey proceeds here *pro se*. He filed an original petition in Harris County district court against Defendant National Multiple Sclerosis Society, who timely removed. Dkt 1. The matter was referred for disposition to Magistrate Judge Yvonne Ho. Dkt 27.

Pending is a Memorandum and Recommendation by Judge Ho dated October 10, 2024. Dkt 35. She orders that the request by Defendant to strike Plaintiff's amended complaint be terminated as withdrawn. Id at 9; see Dkt 30 at 12–13. She further recommends that the partial motion to dismiss by Defendant be GRANTED and that the civil conspiracy claim brought by Plaintiff be DISMISSED WITH PREJUDICE. Dkt 35 at 5–9; see Dkt 30 at 9–12.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC §636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v*

*PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

None of the parties filed objections. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

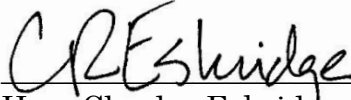
The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 35.

The motion for partial dismissal by Defendant is GRANTED. Dkt 30.

The civil conspiracy claim pleaded by Plaintiff is DISMISSED WITH PREJUDICE. This disposition doesn't affect other pending claims.

SO ORDERED.

Signed on December 30, 2024, at Houston, Texas.

  
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Hon. Charles Eskridge  
United States District Judge